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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------------------------------------------------------------------|-------------|----------------------|------------------------------|------------------|
| 10/695,621 | 10/28/2003 | Stefan Kiefer | 13914-016001 / 2003P00626 | 3903 |
| 32864 7590 06/07/2010 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022 | | | | |
| EXAMINER | | | | |
| FADOK, MARK A | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3625 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 06/07/2010 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

| | | | |
|---------------------------------------------|------------------------|---------------------|--|
| Examiner-Initiated Interview Summary | Application No. | Applicant(s) | |
| | 10/695,621 | KIEFER ET AL. | |
| | Examiner | Art Unit | |
| | MARK FADOK | 3625 | |

All Participants:

(1) MARK FADOK

(2) Mr. Richard Soderberg

Date of Interview: 2 June 2010

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

arguments as provided in Appeal Brief.

Claims discussed:

13

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Status of Application: _____

(3) _____

(4) _____

Time: _____

/Mark Fadok/

Primary Examiner, Art Unit 3625

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner indicated that the arguments as presented in the Appeal Brief were persuasive, in that the rejection as currently written was not ready to be passed on to the Board of Appeals. The examiner stated that the art that is provided in the current rejection is strong in regards to current claims and that a new rejection which more clearly presents the rejection is contemplated (may include additional references for clarity or teaching). The examiner also proposed an amendment that if agreed to may place the claims in condition for allowance. The potential allowable subject matter (previously proposed in the advisory action mailed 9/10/2009) being an amendment to the independent claims; for instance, claim 13, line 9, deleting "made available" and inserting "that the computer system presents". Support being found in applicant's PG PUB 20050091122 para 41 and 50. Mr. Soderberg asked, what was the applicant's motivation to accept such a proposal? The examiner noted that if the applicant does not chose to accept the proposal then a new final rejection necessitated by the amendment filed 2/20/2009 would be forthcoming. However, if the applicant should agree to the proposed claim amendment then the examiner will search the claims in light of the amendment and if the combination is not reasonably found by the examiner's during the search then the application would pass to issue. If however, the combination was found in one reference or a combination of references then a new final rejection would be provided on the claims as provided in the current Appeal Brief. Mr. Soderberg indicated that he will contact the applicant and allow them to make the decision and said he would get back to the examiner later in the week.